

ZB# 76-10

Charles Thompson

(no S-B-L given)

Thompson, Charles - side yard variance

76-10

Public Hearing

8:15 - Apr. 26, 1976.

DecD -

All fees paid
+ sent to Town Clerk

GENERAL RECEIPT

2783

Town of New Windsor, N. Y.

Received of Charles & Jane Thompson Apr. 20, 1976
Ten and 00/100 \$10.00
Varisue Application Fee # 76-10 Dollars

DISTRIBUTION:

FUND	CODE	AMOUNT
10.00 Check # 186		

BY Charlotte Marcarbone
Deputy
 TITLE

**PUBLIC NOTICE OF
HEARING BEFORE
THE ZONING BOARD
OF APPEALS**

PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New
York, will hold a public hearing, pur-
suant to Section 48-33A of the Zoning
Ordinance, on the following
proposition:

Appeal No. 90-28
Request of JANE THOMPSON,
and CHARLES THOMPSON for a
Variance of the regulations of the
Zoning Local Law, to permit insuf-
ficient sideyard being a Variance of
Section 4-2-3-5 Table of Bulk
Regulations, Part 1, Column 2 for
property situated at 24 Fernandez
Drive, Town of New Windsor, N.Y.

SAID HEARING will take place on
the 26th day of April, 1976, at the
New Windsor Town Hall, 555 Union
Avenue, New Windsor, N.Y., beginn-
ing at 8:15 o'clock P.M.

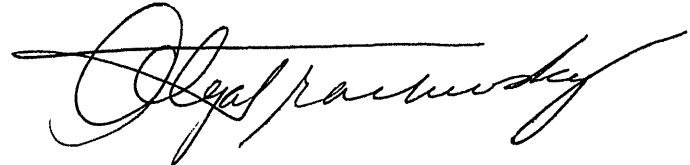
THEODORE JARGSTORFF,
Chairman
By, PATRICIA RAZANSKY,
Secretary

Apr 17

**State of New York
County of Orange, ss:**

Olga Trachewsky , being duly sworn deposes and
she
says that he is Principal Clerk of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News.
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published
One Time
in said newspaper, commencing on the.....17th.....day of
.....April.....A.D., 1976 , and ending on
the17th..... day ofApril..... A.D., 19 76

Subscribed and sworn to before me this
.....20th.... day of....April..... 19.76...



Robert F. Wacht

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19 78

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of

CHARLES THOMPSON and JANE THOMPSON

#75-10 for side yard variance.

DECISION GRANTING
AN AREA VARIANCE (SIDE YARD)

WHEREAS CHARLES THOMPSON and JANE THOMPSON of 24 Fernandez Drive, New Windsor, New York have applied to the Zoning Board of Appeals for an area variance to permit the construction of an addition to their home at the above location; and

WHEREAS the applicants seek a 9 ft. side yard variance; and

WHEREAS a public hearing was held on the 26th day of April, 1976 at which time no opposition appeared to the application and Charles and Jane Thompson appeared with their proposal at that time; and

WHEREAS notice of the public hearing was duly sent to residences and businesses as prescribed by law, and published in The Evening News, also required by law; and

WHEREAS the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The proposed 9 ft. side yard variance would not affect the general character of the neighborhood.
2. The proposed addition will be attractive and will enhance the surrounding area.

WHEREAS the Zoning Board of Appeals makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the legally required side yard;

2. There will be no substantial change in the character of the neighborhood nor a substantial detriment to the adjoining properties;

3. The proposed variance would have no affect on the governmental facilities available;

4. There is no feasible method for the applicants to erect the addition on their property other than through a variance;

5. There are no other factors of interest bearing on this matter.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area variance as hereinablve requested; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicants, the Town Planning Board, and the Town Clerk.


THEODORA JARGSTORFF, Chairman

Dated: May 24, 1976.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

76-10
(Number)

4/12/76
(Date)

I. Applicant information:

- (a) Charles Ivan and Jane Fredricka Thompson
(Name, address and phone of Applicant)
- (b) 24 Fernandez Drive, New Windsor, N. Y. 12550 - 562-0013
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

✓ III. Property information:

- (a) R-4 same as above 100 x 125
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Feb. 1954
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. No

76-10
(Number)

4/12/76
(Date)

I. Applicant information:

- (a) Charles Ivan and Jane Fredricka Thompson
(Name, address and phone of Applicant)
- (b) 24 Fernandez Drive, New Windsor, N. Y. 12550 - 562-0013
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

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- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Feb. 1954
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. No
- _____
- _____

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 4.2, Table Bulk Regs. Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
X Reqd. Side Yards <u>15 / 30</u>	<u>6 /</u>	<u>9 /</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only
 ** Non-residential districts only

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 4.2, Table Bulk Regs. Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yard		
X Reqd. Side Yards <u>15 / 30</u>	<u>6 /</u>	<u>9 /</u>
Reqd. Rear Yard		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

The Thompson house was small when constructed and no provision
was made for a family room. Now that the family is larger
a family room is necessary and we are faced with the alternative
of adding on a family room or moving.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

as well as a family room. For that the family is larger
 a family room is necessary and we are faced with the alternative
 of adding on a family room or moving.

☐ VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law,
 Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a
 variance, and set forth your reasons for requiring
 extra or oversize signs.

(c) What is total area in square feet of all signs on premises including
 signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

(a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

(b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☐ IX. Attachments required:

☒ Copy of letter of referral from Building and Zoning Inspector.

☐ Copy of contract of sale, lease or franchise agreement.

☐ Copy of tax map showing adjacent properties

☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

☐ Copy(ies) of sign(s) with dimensions.

☐ Check in amount of \$ _____ payable to Town of New Windsor.

☐ Check in the amount of \$ _____ payable to Secretary for taking public hearing.

Photos of existing premises which show all present signs and landscaping.

(b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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☐ Copy(ies) of sign(s) with dimensions.

☐ Check in amount of \$_____ payable to Town of New Windsor.

☐ Check in the amount of \$_____ payable to Secretary for taking public hearing.
Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

☐ Other

X. AFFIDAVIT.

Date April 14, 1976

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

(Applicant)

Sworn to before me this

14th day of April, 1975.

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(d) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

(Applicant)

Sworn to before me this

14th day of April, 1975.

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

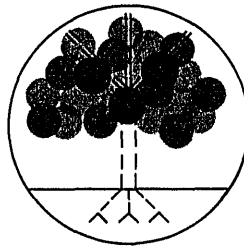
(c) Special Permit is _____

(d) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

Department of Planning

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner



124 Main Street
Goshen, New York 10924
(914) 294-5151

APR 30 1976

County of Orange

Louis V. Mills, County Executive

April 28, 1976

Mr. Theodore Jargstorf, Chairman
New Windsor Zoning Board of Appeals
c/o Patricia Razansky, Secretary
Town Hall
New Windsor, New York 12550

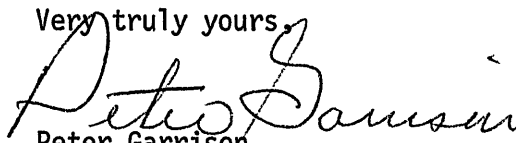
Re: Variance - Thompson
Fernandez Drive

Dear Mr. Jargstorf:

We are in receipt of the above-submitted to us in accordance with the provisions of Section 239, 1 and m, Article 12-B of the General Municipal Law of the State of New York.

We hereby return the matter for final determination by the Zoning Board.

Very truly yours,


Peter Garrison
Commissioner of Planning

PG/jm

April 19, 1976

Mr. Henry Van Leeuwen, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N. Y. 12550

RE: PUBLIC HEARINGS SCHEDULED FOR APRIL 26, 1976

Dear Hank:

Kindly be advised that the following public hearings will be held on Monday evening, April 26, 1976 at the Town Hall before the Zoning Board of Appeals:

#76-6 - Gordon Carpet Outlet at 8 p.m.

#76-10 - Jane & Charles Thompson at 8:15 p.m.

#76-11 - Robert & Vincent Biagini at 8:30 p.m.

I have enclosed herewith copies of the above applications together with a copy of each public hearing notice which appeared in The Evening News on April 17, 1976.

Very truly yours,

PATRICIA RAZANSKY, Secretary

/pr

Enclosures

cc: Howard Collett

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant
to Section 48-33A of the Zoning Ordinance on the following
proposition:

Appeal No. 10

Request of JANE THOMPSON and CHARLES THOMPSON
for a Variance ~~Special Use Permit~~ of the
regulations of the Zoning Local Law, to permit
insufficient sideyard

being a Variance ~~Special Use Permit~~ of
Section 4.2 - Table of Bulk Regulations - Part I - Column 7
for property situated at: 24 Fernandez Drive,
Town of New Windsor, N. Y.

SAID HEARING will take place on the 26th day of April, 1976,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8.15 o'clock P. M.

THEODORE JARGSTORFF,
Chairman

Agenda -
April 12, 1976 -
7:30.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date *March 30*, 19*76*

To *CHARLES THOMPSON*
24 FERNANDEZ DRIVE

.....
PLEASE TAKE NOTICE that your *REQUEST* application dated, 19 ..
for permit to .. *CONSTRUCT AN ADDITION TO DWELLING* ..
at the premises located at . *24 FERNANDEZ DR.* ..

.....
is returned herewith and disapproved on the following grounds:

..... *INSUFFICIENT SIDEYARD.*
..... *15 FOOT SIDEYARD REQUIRED.*
..... *PLAN SHOWS 6 FEET*

..... *Howard R. Reese*
Building Inspector



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

April 13, 1976

Mr. & Mrs. Charles Thompson
24 Fernandez Drive
New Windsor, New York 12550

RE: 20-2-13

Dear Mr. & Mrs. Thompson:

According to my records, the attached list of property owners are within five hundred (500) feet of the property in question.

The charge for this service is \$25.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk
att.



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Newburgh Board of Education
124 Grand Street
Newburgh, New York 12550

Daniels, Edward & Ann
MD#14 River View Avenue
New Windsor, New York 12550

Burger, Richard & Sarah
MD#14 River View Avenue
New Windsor, New York 12550

Coan, Mary S.B.
735 Jacqueline Drive
Valley Cottage, New York 10989

Coan, Mary Smith
735 Jacqueline Drive
Valley Cottage, New York 10989

Tibby, George W. & Gladys M.
48 Silver Spring Road
New Windsor, New York 12550

Lawlor, William & Gladys E.
50 Silver Spring Road
New Windsor, New York 12550

Flagler, Thomas F. & Barbara
52 Silver Spring Road
New Windsor, New York 12550

Grattan, John H.
C/O June Miller
56 Silver Spring Road
New Windsor, New York 12550

Embler, Myron S. Jr. & Marion K.
191 Quassaick Avenue
New Windsor, New York 12550

Blair, John T. Jr. & Gail
193 Quassaick Avenue
New Windsor, New York 12550

Hough, Allen D. & Natalie L.
195 Quassaick Avenue
New Windsor, New York 12550

Quick, Violette
C/O Violette Doulin
11 Nathan Drive
Plainview, New York 11803

Rossi, Elivio J.
8 Tree Haven Lane
New Windsor, New York 12550

Ferraiolo, John & Antoinette
4 Tree Haven Lane
New Windsor, New York 12550

Slavin, Hyman & Renee L.
Silver Spring Road
New Windsor, New York 12550

Papazian, Armen & Helen
67 Silver Spring Road
New Windsor, New York 12550

Hammer, Leonard & Jenette
65 Silver Spring Road
New Windsor, New York 12550

Armour, Gertrude B.
MD#14 Silver Spring Road
New Windsor, New York 12550

Janson, John J. & Alice C.
3 Tree Haven Lane
New Windsor, New York 12550

Kingsley, George S. & Linda H.
59 Silver Spring Road
New Windsor, New York 12550



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Trent, Remo
57 Silver Spring Road
New Windsor, New York 12550

Pallazza, Anthony J. & Edythe E.
20 Fernandez Drive
New Windsor, New York 12550

Maroney, James & Carmella
813-817 Union Avenue
New Windsor, New York 12550

Lynch, Nicholas
277 Washington Avenue
Newburgh, New York 12550

Martin, Thomas J. & Debra
Silver Spring Road
New Windsor, New York 12550

Cimorelli, Louis & Mary E.
18 Fernandez Drive
New Windsor, New York 12550

Malloy, Eliot E. & Jean M.
16 Fernandez Drive
New Windsor, New York 12550

Rolnick, Lillian M.
12 Fernandez Drive
New Windsor, New York 12550

DeGreogoria, Joseph S. & Grace
10 Fernandez Drive
New Windsor, New York 12550

Dietz, Milton S. & Patricia J.
8 Fernandez Drive
New Windsor, New York 12550

Swanson, Kenneth
41 Silver Spring Road
New Windsor, New York 12550

Volpe, Daniel J. Jr. & Selvaggio,
Michele
48 Union Avenue
New Windsor, New York 12550

Gilberti, Benjamin & Rose T.
Lattintown Road
Marlboro, New York 12542

Dobson, William F. & Frances M.
56 Union Avenue
New Windsor, New York 12550

Decker, William F. Jr. & Carol
60 Union Avenue
New Windsor, New York 12550

Provident Savings & Loan
38 New Main Street
Haverstraw, New York 10927

Saffioti, Dominick & Marilyn
17 Fernandez Drive
New Windsor, New York 12550

Eanni, Frank A. & Victoria
19 Fernandez Drive
New Windsor, New York 12550

Smith, Joseph F. & Mary A.
21 Fernandez Drive
New Windsor, New York 12550

Ostner, Richard A. & Christine
RD#2 Bethlehem Road
New Windsor, New York 12550

Newton, Robert E. & Mary T.
70 Union Avenue
New Windsor, New York 12550

Ginda, John V. & Sharon A.
76 Union Avenue
New Windsor, New York 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1768 Paratore, Salvatore & Irene M/
80 Union Avenue
New Windsor, New York 12550

Poser, William F. & Virginia M.
82 Union Avenue
New Windsor, New York 12550

Travis, Joseph A. & Mary
205 Quassaick Avenue
New Windsor, New York 12550

Paolo, David & Antoinette
23 Fernandez Drive
New Windsor, New York 12550

Barclay Manor Inc.
Suite 913 45 Church Street
Paterson, New Jersey 07505

Hansen, Geroge & Hilma
61 Union Avenue
New Windsor, New York 12550

Jannotti, Pellegrino J.
48 Valley Avenue
New Windsor, New York 12550

Respectfully submitted,

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

Public Hearing - 4/26/76 - 8:15 - Thompson

Name:

John Janson

Address:

3 Tree Haven Lane

CHARLES I AND JANE F. THOMPSON
24 FERNANDEZ DRIVE
NEW WINDSOR, N. Y. 12550

125

17'

